

OFFICE OF SCIENTIFIC INTELLIGENCE

INTELLIGENCE ACTIVITIES

NOTICE

SI SI-3

20 December 1966

RELEASE OF INTELLIGENCE TO CONTRACTORS

1. Recently there has been some confusion on the part of Project Officers regarding the release of non-CIA originated classified intelligence to external contractors. USIB-D-39.5/19 dated 26 August 1963 sets forth the procedures and limitations under which USIB member agencies are authorized to accomplish such actions. This USIB Directive eliminates the necessity of one USIB member agency obtaining the permission of another member agency to send certain categories of intelligence it originates to a contractor. The salient limitations and procedures of this directive are outlined below for the guidance of Project Officers. However, before sending such material to a CIA contractor, USIB-D-39.5/19 should be read in its entirety.

2. USIB-D-39.5/19 applies solely to information reports and intelligence produced and disseminated by CIA, Bureau of Intelligence and Research (INR/State), DIA, NSA, ACSI/Army, ONI, ACSI/Air Force, AEC, and military commands. Such intelligence, provided it does not bear special markings (e.g. Controlled Dissem), warnings which prohibit dissemination to contractors, or is not marked for handling in special dissemination channels, may be released to contractors in accordance with strict adherence to the need-to-know principle without referral to the originating agency. The releasing agency shall maintain a record of the material and shall, upon request, report such release to the originating agency. Specifically excluded from this authorization are the following materials which cannot be released to contractors under any circumstances:

- a. National Intelligence Estimates (NIE's) and Special National Intelligence Estimates (SNIE's).
- b. Section 56 of National Intelligence Surveys (NIS's).
- c. Reports prepared by a contractor for another member agency.

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Group I

Excluded from automatic down-
grading and declassification

3. The following categories of intelligence cannot be released to contractors without permission of the originating agency:

a. Documents bearing Controlled Dissemination or other control markings as specified in DDID 177 and Foreign Service Reports. Approval to release such documents or reports to contractors must be obtained from the originator through the Liaison Staff/CCR.

b. Communications Intelligence. Authorization for the release of such material will be obtained from the CIA Special Intelligence Staff.

4. Project Officers will insure that contractors have acknowledged in writing their responsibilities regarding the protection of classified materials furnished or developed by them. These include:

a. Intelligence material released to a contractor does not become the property of the contractor and can be withdrawn at any time. It must be returned upon expiration of the contract.

b. Contractors will not release the material to:

(1) Another contractor (including a sub-contractor) or another government agency, nor to

(2) Any activity or individual of the contractor's organization not directly engaged in providing services under the contract. Contractors shall be required to maintain such records as will permit them to furnish, on demand, the names of individuals who have had access to intelligence materials.

Normally, the base contract covers these items but in the event it does not and classified materials are to be forwarded, the Project Officer should make certain that the contractor is aware of such responsibilities.

5. Any questions in connection with the release of classified information to CIA contractors should be directed to the Security Officer, OSI.

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